1st Councilmanic District King Memorial Park, Inc.

* Case No. 91-371-SPHA Petitioners

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners merein request a special hearing to approve the temporary use of an office trailer and storage trailers which have existed on the subject property for over 15 years in lieu of the permitted uses set forth in Section 415 of the Baltimore County Zoning Regulations (BCZR), a reduction in the special exception area previously approved in Case No 5081-X from 216 acres to 50 acres, and an amendment to the site plan previously approved in said case. Petitioners further request a variance to permit a side yard setback of 12 feet in lieu of the minimum required 25 teet for an existing office trailer, distances between Sheds B, C and D of 7 feet and 2 feet in lieu of the required 50 feet for each, side yard setbacks of 8 feet, 23 feet and 35 feet in lieu of the required 50 feet each between the existing office trailer and Sheds B, C and D, and a side yard setback of 45 feet in lieu of the required 50 feet between Sheds C and D and the storage trailer, to permit two-way traffic with an aisle width of 18 feet in lieu of the required 20 feet, without the required durable and dustless surface, and to permit parking areas without the required striping and without the required durable and dustless surface, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Erich W. March, Vice President, appeared, estified and were represented by Arnold V. Hawkins, Esquire. Also appear-

IT IS FURTHER ORDERED that the Petition for Special Hearing to

I'T IS FURTHER ORDERED that the Petition for Zoning Variance to

IT IS FURTHER ORDERED that the Petition for Zoning Variance to

approve a reduction in the special exception area previously approved in

Case No 5081-X from 216 acres to 50 acres and an amendment to the site

plan previously approved in Case No. 5081-X, in accordance with Petition-

er's Exhibit 1, be and is hereby GRANTED; subject to the restrictions

permit two-way traffic with an aisle width of 18 feet in lieu of the re-

quired 20 feet, without the required durable and dustless surface, and to

permit parking areas without the required striping and the required dura-

ble and dustless surface, in accordance with Petitioner's Exhibit 1, be

and is hereby GRANTED, subject to the restrictions hereinafter set forth;

permit a side yard setback of 12 feet in lieu of the minimum required 25

feet for an existing office trailer, distances between Sheds B, C and D of

7 feet and 2 feet in lieu of the required 50 feet for each, side yard

setbacks of 8 feet, 23 feet and 35 feet in lieu of the required 50 feet

for each between the existing office trailer and Sheds B C and D, a side

yard setback of 45 feet in lieu of the required 50 feet between Sheds C

and D and the storage trailer, be and is hereby GRANTED, subject to the

following restrictions which are conditions precedent to the relief grant-

1) The Petitioners may apply for their temporary use

permit and be granted same upon receipt of this Order;

however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return,

- 5-

hereinafter set forth; and,

ing on behalf of the Petitions were Victor C. March, Tom Hoffman, Land Surveyor, and John Rohde, Landscape Architect. Lenwood Johnson, a Planner with the Baltimore County Office of Planning, also appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 8710 Dogwood Road, consists of 50 acres zoned R.C. 3 and is part of an original tract containing 216 acres which was granted a special exception for a cemetery in Case No. 5081-X on November 17, 1960. Testimony indicated that Petitioners purchased the subject 50 acres in 1973 from the Schechter family. At that time, Petitioners believed there were only two gravesites on the subject site. Mr. March testified that King Memorial Park, Inc. was founded as a minority enterprise and established a cemetery dedicated to the late civil rights leader, Dr. Martin Luther King, Jr., on the subject property in 1973. He indicated that to date, development of the property for burial sites has been limited to the 20 acres bordering Dogwood Road. Petitioners have conducted approximately 6500 burials in that original 20 acres and are in the process of beginning the grading of the remaining 30 acres to permit additional burial sites. Testimony indicated that due to the topography of the land, the grading will be guite expensive and timely.

Mr. March indicated that Petitioners originally had an office located in Baltimore City. However, due to vandalism at the subject site, Petitioners were forced to establish an on-site office in approximately \1975. At that time, Petitioners placed the subject office/storage trailers in the locations depicted on Page 2 of Petitioner's Exhibit 1. Petitioners testified they were not aware until they made application for the grading permits to develop the remaining 30 acres that said trailers were

- 2-

not permitted. Mr. March indicated that a permanent office structure would be constructed on the property on a portion of the remaining 30 acres to be developed.

Due to the extended time frame for development of the remaining land for burial sites and economic costs involved, Petitioners are requesting permission to continue to use the existing trailers depicted on Petitioner's Exhibit 1 for five (5) years. Testimony and photographs presented by Mr. March clearly indicate that the requested variances and special hearing for the trailers affect no one other than Petitioners and any visitors to their property. The undisputed testimony was that the trailers and sheds are not visible to any adjoining residential properties and that the granting of the relief requested will not result in any detriment, to the health, safety or general welfare of the surrounding community. Lenwood Johnson indicated he has visited the subject site and in his opinion, the granting of the relief requested will not result in any harm to the community and, in light of the unique facts presented in this case, would be appropriate.

With respect to Petitioners' request for a crusher run surface in lieu of the required durable and dustless paving for the parking area, the comments submitted by the Department of Environmental Protection and Resource Management, Bureau of Air Quality, would indicate they support Petitioners' request.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special condi-

ity, and general welfare. Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of May, 1991 that the Petition for Special Hearing to approve the continued temporary use of an office trailer and storage trailers, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; subject to the restrictions hereinafter set forth; and,

tions unique to this particular parcel. In addition, the relief requested

will not be detrimental to the public health, safety, and general welfare.

zoning regulations would cause practical difficulty to the Petitioner and

his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical

whether strict compliance with requirement would

unreasonably prevent the use of the property for a

permitted purpose or render conformance unnecessarily

2) whether the grant would do substantial injustice

to applicant as well as other property owners in the district or whether a lesser relaxation than that

3) whether relief can be granted in such fashion

that the spirit of the ordinance will be observed and

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

such use as proposed would not be contrary to the spirit of the B.C.Z.R.

and would not result in substantial detriment to the public health, safe-

It is clear from the testimony that if the variance is granted,

applied for would give substantial relief; and

public safety and welfare secured.

burdensome:

difficulty for an area variance, the Petitioner must meet the following:

An area variance may be granted where strict application of the

- 3-

Baltimore County Government

Zoning Commissioner Office of Planning and Zoning

May 24, 1991

887-3353

Arnold V. Hawkins, Esquire 207 E. Redwood Street, Suite 504 Baltimore, Maryland 21202

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE N/S Dogwood Road, 1413' NW of Wrights Mill Road (8710 Dogwood Road) 2nd Election District - 1st Councilmanic District King Memorial Park, Inc. - Petitioners Case No. 91-371-SPHA

Dear Mr. Hawkins:

111 West Chesapeake Avenue

Towson, MD 21204

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

(MN show a. ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

AMN:bjs

File

and be responsible for returning, said property to its original condition.

2) The variances granted herein for the sheds/storage trailers are limited to a four-year period starting from the date of this Order. On or before the expiration of this four-year period, the variances granted herein shall terminate and Petitioners, if replacing the sheds/storage trailers with permanent structures, shall proceed with such construction in strict compliance with the zoning regulations and/or file new Petitions.

3) The relief granted as to the temporary use of office/storage trailers shall be limited to a fouryear period starting from the date of this Order. In the event Petitioners proceed to replace said trailers with a permanent structure prior to the expiration of the four-year period, Petitioners' use of the office/storage trailers shall cease and the trailers shall be removed from the property prior to the issuance of any occupancy permits.

4) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

5) Within forty-five (45) days of the date of this Order, Petitioner shall submit a landscaping plan for approval by the Office of Planning incorporating any landscaping around the trailers and sheds, if required by the Office of Planning. If none is required, Petitioner shall submit a letter from the Office of Planning indicating same within forty-five (45) days of the date of this Order.

6) When applying for any building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

> ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

- 6-

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91.371.5PH A The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and Yor Deputy Zoning Commissioner should approve SEE EXHLBIT "A" ATJACHED Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restriction. tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): KING MEMORIAL PARK,	Ĺ
KING MEMORIAL PARK,	
(Type or Print Name)	
Signature ERICH W. MARC	
(Type or Print Name)	
Signature	
5719 YORK ROAD Address	Phone No.
BALTIMORE, MARYLAND City and State	21212
Name, address and phone number of tract purchaser or representative	of legal owner, con- to be contacted
Name	
Address	Phone No.
	Signature ERICH W. MARC (Type or Print Name) Signature 5719 YORK ROAD Address BALTIMORE, MARYLAND City and State Name, address and phone number of tract purchaser or representative Name

ORDERED By The Zoning Commissioner of Baltimore County, this _____day required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

· W.

z.co.—No. 1

EXHIBIT "A"

SPECIAL HEARING:

91-371-517HA

A. To permit temporary use of office trailer and storage trailers which have been located on said property for over 15 years in lieu of said uses allowable under Baltimore County Zoning Regulations, Section 415.

B. To reduce the area os Special Exception and amend the Plan under Zoning Case Number 5081-X to provide an area reduced from 216 acres to 50 acres.

Contract Purchaser:

(Type or Print Name)

9.21.90

ZONING DESCRIPTION PARCEL 2, SHECTER PROPERTY, 166 AC ± 2 MOELECT. DIST., BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT ON THE NORTHEAST SIDE OF DOGWOOD ROAD, APPROXIMATELY 200' NORTHWESTERLY FROM ITS INTERSECTION WITH THE CONTERLINE OF WRIGHTS MILL ROAD; THENCE, THE FOLLOWING TWELVE courses and distances:

1. NORTH 50°06'06" WEST 1213 FEET , THENCE

2. NORTH 56°16'04" EAST 3819.21 FEET, THENCE

3. SOUTH 58° 21'10" EAST 1552.77 FEET, THENCE

4. SOUTH 67°21' EAST 21.4 FEET, THENCE

5. SOUTH 37°19' WEST 1604.8 FEET, THENCE

6. SOUTH 40°09' WEST 1732.5 FEET, THENCE 7. NORTH 60°21' WEST 924 FEET, THENCE

8. NORTH 26°09' EAST 802.25 FEET, THENCE 9. NORTH 57°51'WEST 455.4 FEET, THENCE

10. SOUTH 36°09' WEST 940.5 FEET, THENCE

11. NORTH 50°06' WEST 115 FEET, THENCE

12. SOUTH 36°09' WEST 231 FEET TO THE

PLACE OF BEGINNING.

CONTAINING 166 ACRES + OF LAND, MORE OR LESS AND ALSO KNOWN AS SHECTER PROPERTY, IN THE 2NO ELECTION DISTRICT, AND RECORDED IN LIBER 7774, FOLIO 407.



PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-371-5PHA The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section _____SEE_EXHIBLL_"A"___

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To be established at hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

> I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): King Memorial Park, Inc. (Type or Print Name) Erich W. March Signature Erich W. March, V. President

(Type or Print Name) _______ City and State Atterney for Petitioner:

57]9 York Road _Arnold_V__Hawkins__ (Type or Print Name) Baltimore, Maryland 21212 _____ Ste 504, 207 F. Redwood Street Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Baltimore, Maryland 21202 City and State ttorney's Telephone No.: (30], 547=7-176

ORDERED By The Zoning Commissioner of Baltimore County, this _____day March, 1991, that the subject matter of this petition be advertised, as equired by the Zoning Law of Baltimore County, in two newspapers of general circulation through Baltimore County, that property be posted, and that the public hearing be had before the Zoning mmissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore 16 day of May 19.91, at 9:30 o'clock

Zoning Commissioner of Baltimore County

ZONING DESCRIPTION PARCEL A, OVERALL TRACT, 216 AC. ± INO ELECT. DIST., BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT ON THE NORTHEAST SIDE OF DOGWOOD ROAD, APPROXIMATELY 200'+ NORTHWESTERLY FROM ITS INTERSECTION WITH THE CENTERLINE OF WRIGHTS MILL ROAD; THENCE THE FOLLOWING FOUR-TEEN COURSES AND DISTANCES:

1. NORTH 50°06'06" WEST 1778 FEET, THENCE 2. NORTH 60°01'SS" EAST 1336.50 FEET, THENCE

3. NORTH 38°33'36" EAST 1270.50 FEET, THENCE

4. NORTH 78°09'55" EAST 1386.12 FEET, THENCE 5. SOUTH 58°21'10" EAST 1909 FEET, THENCE

G. SOUTH G7º21' EAST 21.4 FEET, THENCE 7. SOUTH 37°19'WEST 1604.8 FEET, THENCE

8. SOUTH 40°09' WEST 1732.5 FEET, THENCE

9. NORTH 60°21' WEST 924 FEET, THENCE 10. NORTH 26°09' EAST 802.25 FEET, THENCE

11. NORTH 57°SI'WEST 455.4 FEET, THENCE 12. SOUTH 36.09 WEST 940.5 FEET, THENCE

13. NORTH 50°06' WEST 115 FEET, THENCE

14. SOUTH 36°09' WEST 231 FEET TO THE PLACE OF BEGINNING.

CONTAINING 216 ACRES + OF LAND, MORE OR LESS AND BEING KNOWN AS THE ORIGIONAL PREVIOUS SHECTER' TRACT OF LAND, IN THE 2ND ELECTION DISTRICT



EXHIBIT "A"

91-371-5PHA

VARIANCE: A. From Baltimore County Zoning Regulation, Section 1A02.3.B4 to permit side yard setback of 12' in lieu of the required 25' for existing office trailer.

B. From Baltimore County Zoning Regulations, Section 102.2 and 1A02.3B4 to permit setbacks of 7' and 2' in lieu of the required 50' between sheds B,C, & D.

C. From Baltimore County Zoning Regulations, Section 102.2 and 1A02.3B4 to permit a side yard setback of 8',23',and 35' between office trailer and sheds B,C,& D, and 45' and 34' between sheds C & D and storage trailer in lieu of the required 50'.

D. From Baltimore County Zoning Regulations, Sections 409.4.A and 409.8A.2 and .6 to permit 2 way traffic with aisles widths of 18' in lieu of the required 20' without the required durable and dustless surface, and to permit parking areas without the required striping and without required durable dustless surface.

PARCEL 1, KING MEMORIAL PARK, 50 AC. 2 2 NO ELECT. DIST., BALTIMORE COUNTY, MARYLAND

ZONING DESCRIPTION

BEGINNING AT A POINT IN THE CENTER OF DOGWOOD ROAD, APPROXIMATELY 1413' = FEET NORTHWESTERLY FROM ITS INTERSECTION WITH THE CENTERLINE OF WRIGHTS MILL ROAD; THENCE, THE FOLLOWING SIX COURSES AND DISTANCES:

1. NORTH 50°06'06" WEST 565.00 FEET, THENCE

2. NORTH 60°01'55" EAST 1336.50 FEET, THENKE 3. NORTH 38°33'36" EAST 1270.50 FEET, THENCE

4. NORTH 78°09'55"EAST 1386.12 FEET, THENCE

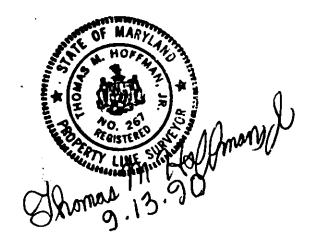
5. SOUTH 58°21'10" EAST 356.23 FEET, THENCE

6. SOUTH 56°16'04" WEST 3819.21 FEET TO THE PLACE OF BEGINNING,

RECORDED IN LIBER 5641, FOLIO 186.

CONTAINING 50 ACRES I OF LAND, MORE OR LESS AND ALSO KNOWN AS KING MEMORIAL PARK, 8710 DOG-WOOD ROAD, IN THE ZNO ELECTION DISTRICT, AND

91 371-SHA



9.13.90

CERTIFICATE OF POSTING

Resi & 710 Dog word Road, 1413 NW of The cation of Signe 1111 211 1 Dogwood Road son form Does of return: April 26-51

Seltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a

parking areas without the re-quired striping and without re-

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successiv weeks, the first publication appearing on 418, 19

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 18th day of the first publication appearing on the 17th day of Signal the second publication appearing on the ____day of ____ the third publication appearing on the

Cost of Advertisement RANDALESTOWN—(EZT155JOL), NOTICE is hereby given that a public hearing

3 BR/21/2 BA colonial on quiet cul-

de-sac. Lovely 1st floor family 🗸 🦦 large eat-in kitchen. Tammy n-caid, 821-1700 or 239-4597. O'Con-AUTOMOTIVE

TEGAL NOTICE BALTIMORE COUNTY GOVERNMENT ZONING COMMISSIONER OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 ONAIS

NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows: Case Number: 81-371-59H N/S Dogwood Road, 1413' NW of Wrights Mil iris! Giris!

288-1133

Road
8710 Dogwood Road
2nd Election District—1st Councilmanic
Petrisoner(s) King Memorial Park, Inc.
Hearing Thursday, May 18, 1901 at 9:30 a.m.
Special Hearing to permit temporary use of
office trailer and storage trailers which have area of special exception and amend the plan between office trailer and sheds B, C & D and 45 ft. and 34 ft. between sheds C & D and storage trailer in lieu of the required 50 ft., and to permit areas without the required striping and with

LEGAL NOTICE IALTIMORE COUNTY, MARYLAND NOTICE OF PUBLIC HEARING OCATION Auditorium Loch Raven His omwell Bridge & Cowpens Road

County, Maryland:
DATE: Thursdaff: May 9, 1991
TIME 7:30 P.M.
LOCATION: County Council Chamber
Second Floor, Court House
Towson, Maryland 21204

concering the levy imposition and collection of the following taxes: BILL #61-91 PROPERTY TAX

fay of June following and to fix the rate county taxation for such taxable year at \$2.87

BILL #62-91 SOLID WASTE DISPOSAL

solid waste acceptance facilities. COUNTY COUNCIL OF BALTIMORE COUNT

Baltimore County
Zoning Commission or
County Of See Paiking
111 West Commission Avenue
100800, Marylana 21204

Account page 8150

Please Make Checks Payable To: Baltimore County

Baltimore County Zoning Commissioner
County Office Building
(1) West Chesapeake Avenue owson, Marsland 21204

Cashler Validation

Account: R-001-6150

PC DIC

grant of the company of the company

Please Make Checks Payable To: Baltimore County ener 의사에인의 기술 문제

Cashier Validation

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

> Your petition has been received and accepted for filing this 13th day of March, 1991.

> > ZONING COMMISSIONER

887-3353

Petitioner: King Memorial Park Petitioner's Attorney: Arnold V. Hawkins Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

DATE: 5/7/7/

King Memorial Park, Inc. 5719 York Road Baltimore, Maryland 21212

ATTN: ERICH W. MARCH

Case Number: 91-371-SPH N/S Dogwood Road, 1413' NW of Wrights Mill Road 8710 Dogwood Road 2nd Election District - 1st Councilmanic Petitioner(s): King Memorial Park, Inc. HEARING: THURSDAY, MAY 16, 1991 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$/44.63 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

In reference to the applicant's request, this office provides

In addition to the protective barrier, the petitioner should meet with the deputy director of the Office of Planning and Zoning

prior to the issuance of any building permits in order to discuss the

provide additional information, please contact Jeffrey Long in the

If there should be any further questions or if this office can

Staff supports the petitioner's request provided that a protective barrier be erected between the Shector property and the

DATE: May 8, 1991

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines ZONING COMMISSIONER

J. Robert Haines

the following comments:

PK/JL/cmm

ITEM329/ZAC1

King Memorial Park Cemetery.

landscape element of the cemetery.

Office of Planning at 887-3211.

Zoning Commissioner

Pat Keller, Deputy Director

SUBJECT: King Memorial Park, Inc., Item No. 329

Office of Planning and Zoning

BALTIMORE COUNTY, MARYLAND

111 West Chesapeake Avenue Towson, MD 21204

887-3353

April 2, 1991

NOTICE OF HEARING

Baltimore County Government

Zoning Commissioner
Office of Planning and Zoning

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-371-SPH M/S Dogwood Road, 1413' NW of Wrights Mill Road 8710 Dogwood Road 2nd Election District - 1st Councilmanic Petitioner(s): King Memorial Park, Inc. HEARING: THURSDAY, MAY 16, 1991 at 9:30 a.m.

Special Hearing to permit temporary use of office trailer and storage trailers which have been located on said property for over 15 years in lieu of said uses allowable; and to reduce the area of special exception and amend the plan under Zoning Case #5081-X to provide an area reduced from 216 acres to 50 acres.

Variance to permit side yard setback of 12 ft. in lieu of the required 25 ft. for existing office trailer; to permit setbacks of 7 ft. and 2 ft. in lieu of the required 50 ft. between sheds B, C & D; to permit a side yard setback of 8 ft., 23 ft. and 35 ft. between office trailer and sheds B, C &D and 45 ft. and 34 ft. between sheds C & D and storage trailer in lieu of the required 50 ft.: and to permit 2-way traffic with aisles widths of 18 ft. in lieu of the required 20 ft. without the required durable and dustless surface, and to permit parking areas without the required striping and without required durable dustless surface.

J. Robert frince

Zoning Commissioner of Baltimore County

> cc: King Memorial Park, Inc. Arnold V. Hawkins, Esq.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

May 1, 1991

887-3353

Arnold V. Hawkins, Esquire Suite 504, 207 E. Redwood Street Baltimore, MD 21202

> RE: Item No. 329, Case No. 91=371-SPHA Petitioner: King Memorial Park, et ux Petition for Special Hearing and Zoning Variance

Dear Mr. Hawkins:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Enclosures

JED:jw

cc: Mr. Enich W. March King Memorial Park, Inc. 5719 York Road Baltimore, MD 21212

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: March 20, 1991

Mr. J. Robert Haines Zoning Commissioner

Z.A.C. MEETING DATE: March 12, 1991

FROM: Rahee J. Famili SUBJECT: Z.A.C. COMMENTS

Dear Mr. Haines:

This office has no comments for items number 286, 325, 329, and 330.

RJF/lvd

received

BALTIMORE COUNTY, MARYLAND Inter-office Correspondence

J. Robert Haines

Robert C. Merrey, Jr. /

Comments on Zoning Advisory Committee Meeting Item 329

King Memorial Park, Inc.

N/S Dogwood Road - 1,413 feet NW of Wrights Mill Road Location:

Existing Zoning: R.C.-3

Area: .216 acres

(8710 Dogwood Road)

Second Election District, First Councilmanic District

This office recommends approval of crusher-run "crushed stone" in lieu of the required durable and dustless surface for the parking area. All crusher-run surfaces are to be treated in accordance with Environment Article 26.11.06.03 D (2) in order to prevent particulate matter from becoming airborne. Treatment and maintenance of this surface is an owner responsibility and will be on a continuing basis as necessary to control airborne particulate.

District:

cc: Field Services North Point Government Center

Baltimore County Government Fire Department

700 East Joppa Road, Suite 901 Towson, MD - 2120 + 5500

MARCH 13, 1991

(301) 88^{-- (500}

. J. Dokert Haines Zoring Commissioner Cffice of Flanning and Zoring Baltimore County Office Eullding Towson, ND 21204

EE: Frogerty Owner: EINC NEMCRIAL PARE, INC.

#8710 DCCFOCD RCAD Location:

Foring Agenda: FARCH 12, 1991 Item No.: 329

Centlemen:

fursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be nade to comply with all applicable parts of the Fire Trevention Code prior to occupancy or beginning of operation. FOAD TO FUTURE PAUSCIEUN SHALL BE OF HARD STREACE AT TIME OF MAUSCITUT COPIETOR.

JK/KEE

: PKING MEMORIAL

8710 DOGWOOD ROAF BALTIMORE, MARYLAND 210 (301) 944 8.5

February 18,1991

Mr. J. Robert Haines Zoning Commissioner Baltimore County 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Item # 9100329

91-371-SPHA

Dear Mr. Haines,

King Memorial Park Cemetery, a minority owned company, named in honor of Dr. Martin Luther King, Jr., located in the Woodlawn area of Baltimore County, was incorporated in 1973. Since that time it has serviced more than 6,000 burials.

The cemetery is comprised of fifty acres, however, only twenty of those acres have been developed for current use. The problem is that we desperately need to develop the remaining thirty acres, because we have exhausted most of the available sites. The delay in the development process has been a combination of financing, adjacent property zoning changes (refer to 91-7SPH), and detailed architectural landscaping.

Having solved these problems and in order to avoid an interruption of business, we are respectfully requesting an early hearing date for our Petition for Special Hearing and Variance. Also, because the season for planting new grass is rapidly approaching, we would like to be granted provisional approval for grading and seeding prior to the hearing (all site plans are being submitted with this request).

We deeply appreciated your consideration of our request, and hope our problem does not create one for you.

Sincerely,

Chill to Thank Erich W. March Vice-President General Manager

25.

"RESPECT FOR THE DIGNITY OF ALL MANKIND."

HISTORY

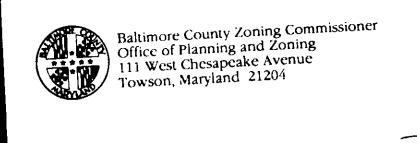
King Memorial Park, Inc., founded as a minority enterprise, was established as a cemetery dedicated to the late civil rights leader, Dr. Martin Luther King, Jr. in 1973. The cemetery was located at 8710 Dogwood Road, in the Woodlawn area of Baltimore County, on fifty acres of undeveloped land.

The initial development for burial sites involved the first twenty acres, bordering on Dogwood Road.

During the early years, business for the cemetery was conducted from a office located in Baltimore City, because most of the clientele was from the city. However, because of racially motivated vandalism, the management was forced to establish an on site office, in order to deter such activity.

Fortunately, understanding and neighborly coexistence has prevailed in recent years, to the extent that King Memorial Park has become an intracal part of the community, participating in many of the community association activities.

To date, King Memorial Park has conducted approximately 6,500 burials, which has exhausted the original twenty acres. The need to expand the park for additional burial sites is critical to continued business operations. Plans for that expansion have been done with diligent adherence to the Baltimore County requirements, with the exception of the requested short-term variances that will enable us to continue providing a need service to the community. PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET 8710 Dogwood Rd. 8710 Dogwood RD. Sta 504, 201 Fledwood 21200 BACTO. CO. PRIMER BOFFICE LENWOOD JOHNS Jon Ga Janon 5500 STAINCTEN ALE Herran + Rode - led seed Archetist



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